

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

RAMON DEL RIO,

Petitioner,

vs.

MATTHEW CATE,

Respondent.

CASE NO. 11cv0728 DMS (PCL)

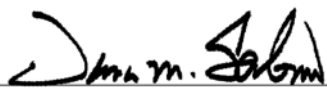
ORDER DISMISSING CASE

[Docket Nos. 22, 25]

On October 27, 2011, Magistrate Judge Peter C. Lewis issued a Report and Recommendation (“R&R”), recommending that the Court grant Respondent’s motion to dismiss and dismiss this case for lack of jurisdiction. Neither Petitioner nor Respondent filed objections to the R&R. However, Petitioner recently filed a request to withdraw his petition in light of the R&R. After considering these documents, the Court hereby adopts the R&R in full, grants Respondent’s motion to dismiss and dismisses this case for lack of jurisdiction. Petitioner’s request to withdraw his petition is denied as moot.

IT IS SO ORDERED.

DATED: December 1, 2011



HON. DANA M. SABRAW
United States District Judge